

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
In the Matter of the Arbitration Between:)	
)	
PT SUMOHADIWIDJOJO,)	
)	
Applicant)	
(Respondent below))	Civil Action No. 04 12646 NG
)	
and)	
)	<u>STIPULATION</u>
BSB RESIDUAL ASSETS TRUST,)	
BSB TRUST COMPANY, LTD., Trustee,)	
)	
Respondent)	
(Claimant below).)	
_____)	

The parties hereby stipulate, through their undersigned counsel, that:

- a. Respondent shall have until April 28, 2005 to file a response to Applicant's Application in this matter.
- b. Applicant will not file with the Court any objection to the Magistrate Judge's Order on Respondent's Motion to Vacate or Reduce Ex Parte Attachment dated April 12, 2005 ("Order") to the extent that the Order releases no more than \$67,717 from Respondent's account at Citizens Bank. Applicant consents to the release of funds in that amount and to the reduction of the attachment in this case to \$302,000.
- c. Applicant shall have until May 2, 2005 to file objections, if any, to the Order to the extent that the Order reduces the attachment below \$302,000. The Respondent's Citizens Bank account shall remain attached by trustee process in the amount of \$302,000 until and including May 2, 2005. Respondent agrees that, in the event that Applicant objects to the Order on or before May 2, 2005, as provided for in this paragraph, the Respondent's Citizens Bank

account shall remain attached by trustee process in the amount of \$302,000 until the Court rules on Applicant's objection. In the event that Applicant does not object to the Order on or before May 2, 2005, as provided for in this paragraph, Applicant consents to the release of all funds in the Citizens Bank account in excess of \$287,000, which amount shall remain attached pursuant to the Order.

d. Applicant's stipulation is without prejudice to its position that Respondent is not entitled to assert counterclaims or claims in set off or recoupment in this matter, its right to seek a judgment on the full amount of the SIAC arbitral award including any interest found to be due thereon, or its right to seek further or additional prejudgment security for a potential judgment.

e. Respondent's stipulation is without prejudice to its position that it is entitled to assert counterclaims and claims in set off or recoupment, its right to contest the accumulation of interest on the SIAC arbitral award or its right to seek further reduction of the attachment in this matter.

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Dated: April 15, 2005